IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.235 OF 2006
IN
APPEAL (LDG.) NO.40 OF 2006
IN
WRIT PETITION NO.1211 OF 2005

M/s.Ocean Creations & Anr. ....Applicants
V/s.
Nandlal Nirmal & Anr. ....Respondents

Mr.Birendra Saraf with Mr.Ashish Kamat i/b Godfrey D'Silva for the Applicants.
None for the Respondents.

CORAM : DR.S. RADHAKRISHNAN & S.J. VAZIFDAR, JJ.
DATED : 18TH MARCH, 2006.

P.C. :

1. Heard the learned counsel for the Applicant. None appears for the Respondents though served. The learned counsel for the Applicant undertakes to file an affidavit of service within two weeks. Perused the affidavit in support of the Notice of Motion. For the reasons stated in the affidavit in support of the Notice of Motion, sufficient cause is made out. There is no case of inaction, negligence or want of bona-fide on the part of the Applicant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)